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The Master, Mate&Pilot

Official Voice of the International Organization of Masters, Mates & Pilots

AFL-CIO Convention

Affiliates Elect Shuler as President, Redmond as Secretary-Treasurer

Maritime Labor's Jones Act Resolution Wins Overwhelming Approval

MM&P's First Convention as a Direct AFL-CIO Affiliate in 50 Years

The Master, Mate & Pilot

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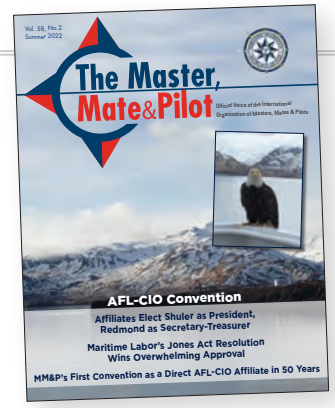

About the Cover

MM&P member Liz Marconi took these photos of Dutch Harbor, Alaska, and an American bald eagle when she was sailing as chief mate aboard the *Matson Kodiak.*

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FROM THE **PRESIDENT**

Deja-vu All Over Again

Union Sisters & Brothers,

A Maritime Administrator has finally taken office and the latest attack on our cargo preference laws is well underway. In the immortal words of Yogi Berra, "It's *deja-vu* all over again." The appointment of Admiral Ann Phillips to the Administrator's job was overdue on more than one count. Her confirmation, along with those of all the other Department of Transportation nominees, was held up for no explicable reason by a couple of obdurate Senators, and, of course, the appointment of a female administrator is further overdue.

So, MM&P can report one step forward. At the same time, the war in Ukraine is being used by the opponents of the U.S. merchant marine to attack our cargo preference laws under the guise of providing essential food aid to needy nations. House Congressional Resolution 92 and Senate Congressional resolutions 37 and 38 would further weaken the U.S. merchant marine by discarding U.S. jobs and maritime capacity by eliminating cargo preference at a time when they are most needed. The law *already* allows for a waiver of cargo preference requirements if U.S.-flag vessels are not available at fair and reasonable rates, but any excuse is fair game in attacking our industry.

Sadly, notwithstanding the war in Ukraine and all the supply chain challenges of the past two years, not a single word was uttered by government officials during the recent Maritime Day commemoration in Washington, D.C., about the crying need for a national maritime policy. How can this be? Our supply chain is dependent on foreign carriers (not to mention manufacturers), our weakness in military logistics is evident to planners involved in the military re-supply of Ukraine and our maritime inferiority to China grows daily. One can only wonder.

Whatever the dysfunction in Washington, D.C., MM&P is maintaining its course, if not its speed. So, too, are our members. The COVID-imposed hardships of the last two years have taken their toll on working conditions, enthusiasm for a seagoing career and the mental health of mariners worldwide. The COVID-related deaths of over 1 million Americans and many millions more worldwide have kept some from returning to a seagoing petri-dish. Risking potentially deadly illness away from professional medical care during ocean transits is not for the faint of heart. Others protest vaccinations. Our members make their own choices, but it should not come as a revelation that difficulties in the recruitment and retention of mariners are a fact of life in every sector of the industry. Some employers recognize this fact and have done their best to improve conditions; others remain oblivious to this reality.

At a ceremony at the U.S. Capitol in May, Charles A. Mills *(right)*, Jack Laub, Dave Yoho and seven other World War II merchant marine veterans accepted the Congressional Gold Medal in recognition of the wartime service of some 250,000 American merchant seamen.

Wages, of course, remain a key incentive for undertaking a career at sea away from friends and loved ones. Pay matters, particularly in the present time of rampant inflation and a declining differential between the wages paid at sea and the wages paid to those working ashore. Since the onset of the pandemic, the hardships of a seagoing career are especially difficult for many to accept when they see those with similar educations frequently working from home!

However, as every MM&P member I have discussed this with agrees, it is more than simply wages that motivates the professional mariner of today. Lifestyle, working conditions, internet connectivity and respect all factor into the equation. The latter, plain and simple respect, is often lacking among a wide range of employers whose management teams often consist of individuals with little or no experience or understanding of employment at sea or who may themselves be held in thrall by corporate functionaries and financial accountants. Of course, mutual respect is also all too often missing aboard ship. This has been the central battle against sexual assault, harassment and bullying at sea. MM&P and our Women's Caucus Committee are fully engaged in the effort to improve living conditions and personal safety for everyone who chooses a seagoing career.

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Circumstances are not optimal for recruitment and retention. It follows that employment opportunities are available to an extent almost unmatched during the forty-five years I have been involved in the industry. Jobs are open to those who have the determination and ability to take them and to accept the current conditions for what they are. MM&P is committed to improving these conditions and the employers who balk at doing the same will have the greatest difficulty in finding crews for their vessels. Some already are, and the most egregious fully deserve to reap what they have sown.

We should not forget, however, that the difficulties and uncertainties of the present era pale in comparison to what those who came before us courageously faced. On May 18, 2022, after a 77-year wait, World War II merchant marine veterans finally received a token of the recognition they deserve. On that date, at an event taking place in the U.S. Capitol Building, 10 merchant marine veterans of World War II were presented with a Congressional Gold Medal in recognition of their heroic efforts. Some 1500 other survivors will receive their awards at their homes.

This was the crowning achievement of decades of efforts led by the American Merchant Marine Veterans organization and the fruit of the efforts of countless others on behalf of these mariners. Speaker of the House of Representatives Nancy Pelosi presented the award and a room full of other Congressional and government dignitaries spoke and witnessed the event. It was a beautiful occasion. Not lost on many of the attendees, least of all the veterans, was the irony that it had taken so long to get to this point! Recognition of the service of some 250,000 American merchant seamen of World War II, including the roughly 9500 who did not survive, has finally occurred in the form of a Congressional Gold medal. Many of those 250,000 mariners, were, of course, MM&P members.

It was a timely reminder of past sacrifice and the need for a strong merchant marine. A reminder we hope was apparent to at least some of our leaders in Congress. All of which leads one to contemplate the juxtaposition of the present-day U.S. merchant marine, the belated recognition of World War II merchant marine veterans, the ongoing attacks on the U.S. flag fleet and the astute words of retired MM&P member, Captain Phil Kantz, who wrote several years ago in a thesis on the U.S. merchant marine:

"With each war, no cost was too exorbitant for the merchant marine to meet its defense goals. During the intervening intervals of peace, no cost was too modest to prepare properly for the next inevitable crisis."[1]

To all our members at sea and ashore, best wishes for a safe and happy summer,

In Solidarity,

Don Marcus
MM&P President

[1] Kantz, P. (2015). Revitalization of the U.S. Merchant Marine in the 21st Century [Unpublished thesis]. Norwich University.

Glen Paine Honored by City of New York Marine Society

Glen Paine, who led the Maritime Institute of Technology and Graduate Studies for 23 years before retiring in January, has received the lifetime achievement award from The Marine Society of the City of New York.

The prestigious award is presented annually to those who have dedicated their careers to the American maritime industry and in particular to the growth and development of the U.S.-flag fleet.

Paine accepted the award at a March 28 ceremony in New York City, in the presence of the U.S.-flag merchant ship captains and officers who belong to the Marine Society, a charitable and educational organization formed in colonial days.

In accepting the award, Paine spoke eloquently about training the next generation of professional mariners. The state-of-the-art programs developed under his tenure at MITAGS include the Navigation Skills Assessment Program and the Workboat Academy. Under Paine's leadership, the MITAGS complex has grown to include an expansive conference and meeting center.

"Glen's tireless work, vision and dedication transformed MITAGS from just another union training school to one of the premier maritime training facilities in the world," said MM&P President Don Marcus in introductory remarks.

"The membership of MM&P and many mariners from all corners of the globe have advanced their careers thanks to his vision and contributions to maritime training."

"Glen's tireless work, vision and dedication transformed MITAGS from just another union training school to one of the premier maritime training facilities in the world," said MM&P President Don Marcus.

AFL-CIO Convention

Shuler Elected AFL-CIO President, Redmond Elected Secretary-Treasurer

Delegates representing AFL-CIO affiliates, labor councils and constituent groups elected Liz Shuler to lead America's labor movement on the first day of the federation's 29th Constitutional Convention, making her the first woman ever elected to serve as president of the AFL-CIO. The federation's Executive Council had appointed her last August to complete the four-year term of Richard Trumka, who died in office.

In her acceptance speech, Shuler announced a plan to launch a massive organizing drive aimed at growing America's labor movement by a million people over the course of the next decade.

The campaign will be headed by a new, high-tech mobilization and research unit, the Center for Transformational Organizing, which will "accelerate and convert the energy of this moment to take our movement into the next century," Shuler said. "By concentrating resources and coordinating to achieve the biggest wins, it will use the power of the entire U.S. labor movement."

Fred Redmond was unanimously elected AFL-CIO secretary-treasurer, becoming the highest ranking African American union official in the history of the labor movement. In his acceptance speech, he quoted Dr. Martin Luther King Jr., who said: "The arc of the moral universe is long, but it bends towards justice."

"I know it's true because I see all of us, as a movement, working to bend it," Redmond added. "Let's keep bending that arc toward justice."

Liz Shuler, elected as the first woman to serve as president of the labor federation, announced a plan to launch a massive organizing drive aimed at growing the size of the American labor movement by at least one million new members in the next ten years.

Fred Redmond was unanimously elected AFL-CIO Secretary-Treasurer, becoming the highest ranking African American union official in the history of the American labor movement.

"It's Good To Be Home," President Biden Tells Delegates

"We have a president who understands the issues and the vision of working people," AFL-CIO President Liz Shuler told convention delegates as she welcomed President Joe Biden to the podium.

And he's making good on his pledge to be "the most pro-union president in history," she said, adding, "I want to tell you what that really means day in and day out."

President Joe Biden is making good on his pledge to be "the most pro-union president in history," said AFL-CIO President Liz Shuler, who called him "a champion in the oval office who knows that working people are the engine of our economy and the heartbeat of our communities and our country."

"It means having working people kept front and center in our nation's plans for recovery and for the future."

"It means having a union member for secretary of labor."

"It means having a task force at the White House dedicated to worker organizing and worker empowerment."

"It means having a National Labor Relations Board that's working to ban captive audience meetings."

"And it means having a champion in the oval office who knows that working people are the engine of our economy and the heartbeat of our communities and our country."

In his speech, Biden saluted union members for fighting to transform the economy and helping to win passage of the American Rescue Plan and the bipartisan Infrastructure Investment and Jobs Act.

"The infrastructure law is about more than rebuilding our infrastructure, it's about rebuilding the middle class," Biden said.

He called on Congress to pass the Protecting the Right to Organize Act, which will allow more workers to have a voice on the job.

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He pledged to fight to ensure the largest corporations and wealthiest Americans begin to pay their fair share of taxes, pointing out that the tax rate on America's workers is much higher than the effective tax rate on corporations and billionaires.

"We're not going back to the false promise of trickle-down economics," he said. "We're going forward."

"We're counting on you again to build this country for all of us," he told the delegates. "I promise you, I'm going to keep fighting for you. Are you prepared to fight with me?"

Delegates Overwhelmingly Adopt Resolution in Support of Jones Act

A resolution in support of the Jones Act was adopted by an overwhelming majority of delegates to the AFL-CIO's 29th Constitutional Convention.

Resolution 18, "Support the Jones Act," was submitted to the convention by the AFL-CIO Maritime Trades Department and presented by Seafarers International Union Secretary-Treasurer Dave Heindel.

It notes the importance of the Jones Act to the nation, including billions of dollars annually in contributions to the economy, and the fact that it provides "a pool of well-trained, reliable U.S. citizen mariners available to sail aboard U.S.-flag military support vessels in times of crisis."

MM&P President Don Marcus, who rose in support of the resolution, called the Jones Act "the essential pillar of the U.S. maritime industry." He noted the contributions made by the tens of thousands of essential maritime industry workers who kept the supply lines open through the challenges of the past two years.

MM&P President Don Marcus, who spoke in support of the MTD resolution, called the Jones Act "the essential pillar of the U.S. maritime industry, adding "The only vessels that have kept their schedules and provided reliable, uninterrupted ocean transportation service through the pandemic have been vessels in domestic trade."

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"The only vessels that have kept their schedules and provided reliable, uninterrupted ocean transportation service through the pandemic have been vessels in domestic trade," Marcus said. "U.S.-built, U.S.-owned and U.S.-crewed vessels running between U.S. ports and delivering cargo to Alaska, Hawaii and Puerto Rico."

Besides noting the important role played by American mariners during the pandemic, the MTD resolution recognized their contributions in other recent crises, including the hurricanes and earthquakes in Puerto Rico. "This law supports America's mariners and shipyard workers along with other shoreside personnel," the resolution states. "It has proven its value to the economy and national security for more than a century."

"Through the years, presidents of the United States, members of Congress and officers in the military have supported the Jones Act."

The resolution passed by the delegates concludes: "The AFL-CIO enthusiastically commits to continue its critical fight for the good-paying, valuable-benefit jobs created within the scope of the Jones Act."

MM&P President Highlights Young Members, WW II Veterans

A focus of the convention was how important young people are to the future of the labor movement. Another was recognizing the achievements of those who have come before us.

"We have heard a lot in this convention about the need to engage young people in the labor movement," said MM&P President Don Marcus in a statement to the delegates. "This is rightly so as without our youth there is no future."

"It is no different in the maritime industry: we must recruit young people into the labor movement and ensure that their workplaces aboard ship are free from gender-based harassment or discrimination of any kind."

"Let us also take a moment to remember the old timers, the women and men who built what we have today under circumstances that have never been easy and have often been impossible for us to imagine."

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"One group of union workers was just recognized last month in the U.S. Capitol: the merchant marine veterans of World War II."

"Some 250,000 merchant seamen served in World War II, carrying the supplies that defeated fascism," he noted, and they suffered a higher casualty rate than any of the armed services. "This sacrifice was made by card-carrying union labor—a service rendered that was swiftly forgotten and unrewarded—there was no GI Bill for these seafarers—until finally, almost 80 years later, a Congressional Gold medal was minted for the 1500 veterans who are still alive."

Marcus closed his remarks with a shout-out to AFL-CIO President Liz Shuler and Secretary-Treasurer Fred Redmond, and an expression of heartfelt gratitude to the late Richard Trumka.

"Masters, Mates & Pilots has been around since 1887," Marcus said. "Samuel Gompers brought us into the AFL in 1916 and Richard Trumka brought us back in as an independent affiliate two years ago."

"We are eternally grateful to Brother Trumka, and his unwavering commitment to justice."

Remembering Richard Trumka

A moving tribute to Richard Trumka took place on the first day of the convention, in the presence of his wife and son. "I wish Rich Trumka were here," Shuler said. "But we can feel his impact everywhere."

Her words held particular significance for MM&P, which was participating in the convention as a direct affiliate of the AFL-CIO for the first time since before its affiliation with the International Longshoremen's Association in 1971.

Trumka recognized MM&P's original AFL and then AFL-CIO charter several months before he died.

The AFL-CIO issued MM&P a new charter on Sept. 15, 2021. It is signed by Shuler, Redmond and AFL-CIO Executive Vice President Tefere Gebre.

"…[T]he AFL-CIO does hereby bind itself to support International Organization of Masters, Mates & Pilots in the exercise of all its rights, privileges and autonomy as an affiliate union of the AFL-CIO," the charter states in part.

MM&P joined members of other AFL-CIO unions at a June 14 rally supporting workers at the Philadelphia Art Museum who had been fighting for two years for a fair contract. In August 2020, museum workers made history when they voted with an 89 percent supermajority to join the American Federation of State, County and Municipal Employees (AFSCME). Since then, museum administrators have refused their demands for fair wages, protection from harassment and affordable healthcare benefits.

AFL-CIO Convention

MITAGS and MCC Bring Simulation Technology to Exhibit Hall

Convention participants were given the opportunity to experiment with some of the technologies that MM&P members use on the job, thanks to a travel simulator designed, programmed and assembled by engineer Jeremiah Sheahen and manned by Catherine Gianelloni, NSAP manager and lead simulator operator.

The travel simulator covers approximately 120 degrees and runs on the same software used on MITAGS full-mission simulators, Gianelloni says. The difference is that it's designed for easy travel, with a focus on demonstrating how simulation can be used for training, assessment and operational research.

"For traveling, we had 10 ports and 30 vessels" to choose from for display, she says. "To support the AFL-CIO topic of clean energy, we had a generic wind farm available for exploration."

"Catie Gianelloni could barely keep up with the requests to 'captain the ship,'" said Jill Porter, director of sales at MITAGS–Maritime Conference Center. "She did a really great job talking about how our technology and talented instructors assist with keeping mariners safe."

Porter manned the booth along with the MCC Sales Manager Denise Shannon. "Denise and I enjoyed visiting with many of the Maritime Conference Center's loyal customers," Porter said, "and getting to know some new contacts excited to explore hosting future training meetings at our centrally located property."

Visitors to the booth were welcomed by a photo of crewmembers sailing to Alaska V 166 on the *MV Maunalei*: Captain Christy Pekara, Phyllis Prokopich 3 A/E, Jordie Guasch 3/M, Rhonda Benoit Bosun, Molly McQuiston 2/M and Kim Hoogendam AB.

Simulator operator Catie Gianelloni, MM&P Secretary-Treasurer Don Josberger, MCC Sales Manager Denise Shannon, MITAGS-Maritime Conference Center Director of Sales Jill Porter and MM&P President Don Marcus. "Thank you, Jill, Denise, Catie and Jeremiah and everyone at MITAGS who had a hand in putting this together," Marcus said. "It was fantastic—a highlight of the convention! Wonderful job by the MITAGS Team and greatly appreciated!!"

"MM&P, MITAGS and MCC's teams came together to tell the story of our organizations," Porter said, calling the four-day event, "an opportunity to present the technologies union members use daily to advance their careers," promote safety and protect lives.

MITAGS simulation engineer Jeremiah Sheahen designed and built what everyone agrees was the highlight of the booth, the portable simulator that was affectionately nick-named the "pack n' play sim."

Pacific Ports Vice President J. Lars Turner in the MM&P convention booth with Josh Anajar, executive director of the Contra Costa Labor Council (Martinez, Calif.). "It's great to share some of what we do aboard ship with others in the Labor Movement," Turner said.

Joni Jones of the Alliance for Retired Americans experiments with the simulator. "Catie Gianelloni could barely keep up with the requests to 'captain the ship,'" said Jill Porter, director of sales at MITAGS–Maritime Conference Center. "She did a really great job talking about how our technology and talented instructors assist with keeping mariners safe."

TTD Says Proposed Drug Testing Rule Could Cost Workers Their Jobs

A proposed change to pre-employment drug testing rules that would designate a missed drug test as a positive test result could lead to thousands of workers being mistakenly classified as drug users, according to the AFL-CIO Transportation Trades Department.
The Department of Health and Human Services proposed the new rule, which would apply to the millions of workers who are required to undergo drug testing.

Under the proposed rule, a person who fails to show up for a pre-employment test is classified as having refused to take the test, which, in turn, would be recorded as a positive test result.

"It is not uncommon for individuals in the transportation industry to accept a different job or assignment after the scheduling of their pre-employment drug test," said TTD in official comments submitted to DOT on June 6. "Employees should not be required to report for a test or penalized for failing to do so when they decide not to pursue or have declined the job for which the test is required."

Mariners and flight attendants, TTD noted, would be among those most seriously affected by the proposed rules, because they may interview with several employers in a short period of time and receive many offers of employment before accepting one.

TTD said the proposal should be withdrawn because it raises a number of "legal, procedural, and substantive concerns."

The Department of Transportation is required to establish drug and alcohol testing standards by adopting HHS scientific and technical guidelines and then promulgating regulations applicable to the transportation workforce. In adopting HHS guidelines, DOT does not have the authority to modify the underlying scientific and technical standards.

"While we urge HHS to withdraw the problematic provisions in these proposed guidelines," TTD stated, "if HHS moves forward to adopt the guidelines as proposed, DOT should not adopt such provisions that are unnecessary and contrary to the needs of the transportation workforce."

Ironically, HHS has also proposed eliminating the public-comment period on its new rules, which would prevent unions and others from weighing in.

"Providing an opportunity for public comment on all changes to drug testing panels is the bare minimum requirement to ensure that workers are adequately informed of proposed changes and have an opportunity to make their voices heard," TTD said.

MM&P is one of the 37 unions representing millions of transportation workers nationwide who belong to TTD.

Unions Express Support for Principles Embodied in EMBARC Guidelines

The maritime unions have expressed support for the goals and objectives reflected in the EMBARC guidelines. The Maritime Administration has requested public comment on the guidelines, which were developed to prevent incidents of sexual assault and sexual harassment (SASH) in the workplace.

In a May 31 letter to Maritime Administrator Ann Phillips, the unions expressed their collective willingness to work with MARAD and the U.S.-flag shipping companies to ensure compliance with the guidelines and the availability of resources to support their implementation.

"Collectively, we support the goals and intentions set forth by EMBARC and are committed to addressing systemic and cultural changes in the maritime industry to prevent incidents of sexual assault and sexual harassment in a workplace that doubles as every mariner's home," the unions wrote.

"SASH is a safety issue in the maritime industry that poses a threat to all mariners, and ensuring the successful implementation of EMBARC is an essential first step."

The letter was signed by the presidents of MM&P, the AFL-CIO Transportation Trades Department, the AFL-CIO Maritime Trades Department, the Marine Engineers' Beneficial Association, the Sailors' Union of the Pacific, the Seafarers International Union of North America and the American Maritime Officers.

The IMO Declares "International Day for Women in Maritime"

The International Maritime Organization has declared May 18 of every year the International Day for Women in Maritime.

The declaration was adopted by the IMO in 2021 as part of its commitment to the United Nations Sustainable Development Goals on gender equality.

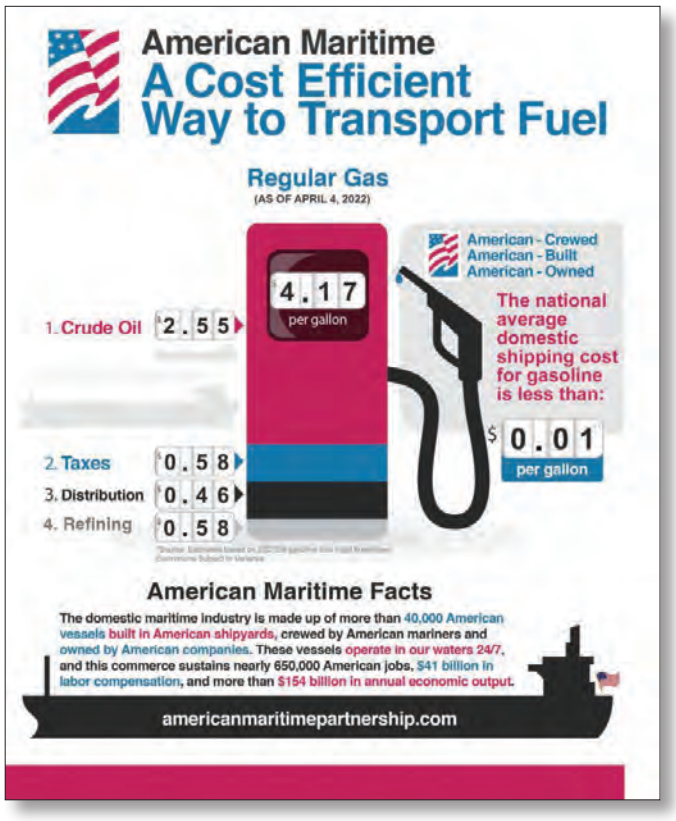
The designation is intended to underline the need to give greater visibility to female maritime industry professionals and to ensure they are more widely represented at decision-making levels. It also aims to promote the recruitment, retention, and sustained employment of women in the maritime sector, raise the profile of women in maritime, and support work to address the current gender imbalance in maritime.

Maersk Columbus **Master Richard A. Madden shared a photo to mark International Day for Women in Maritime. "Chief Mate Cassandra Clark and Second Mate Katelyn Hart are hard at work on *Maersk Columbus* in Duqm, Oman," he wrote. "The vessel is currently at Oman Drydock Company for shipyard maintenance and drydocking The two of them are playing key roles in the smooth operation, inspection, repair and safety of *Maersk Columbus*."**

AMERICAN MARITIME IS A COST-EFFICIENT WAY TO TRANSPORT FUEL

It Costs Less Than a Penny a Gallon To Ship American

The American Maritime Partnership has issued a resounding "clapback" to Jones Act detractors seeking to blame our industry for the high price of gas. AMP reminds critics that shipping American is responsible for less than a penny of the average cost of a gallon of regular gas. (The rest is made up of the cost of crude oil, taxes, distribution and refining.) MM&P and MIRAID are members of AMP, a nationwide coalition that seeks to educate the public about the importance of the domestic maritime industry to our nation's economy, defense and homeland security.



MIRAID's Jim Patti and the ITF's Jacqueline Smith Named "Outstanding Friends of Seafarers"

MIRAID President C. James Patti accepted the Outstanding Friend of Seafarers Award from Rev. Marsh Luther Drege of Seafarers International House.

Members of the maritime community gathered in New York City this spring to honor four people who have made a significant difference in the lives of the world's seafarers. Among them were C. James Patti, president of the Maritime Institute for Research and Industrial Development, and Jacqueline Smith, maritime coordinator of the International Transport Workers' Federation.

For the past 50 years, Patti has played a leadership role in all major legislative efforts affecting the operation of U.S.-flag vessels and the employment of American mariners. From the defense of the Jones Act, to the enforcement of cargo preference shipping requirements, to the funding of the Maritime Security Program, Patti has dedicated his working life to creating and maintaining jobs for U.S.-citizen mariners.

Throughout his career, he has seized every opportunity to make sure that government officials never lose sight of the critically important role that American mariners play in strengthening the economic, military and homeland security of our country.

Not only is Jim Patti president of MIRAID, the legislative office of MM&P and MM&P's contracted employers, he is the current president of the International Propeller Club and the chairman of USA Maritime, which represents U.S.-flag ocean carriers engaged in international trade.

Jim Patti gave a moving speech expressing his pride in his 50 years of service advocating for merchant mariners in Washington, D.C. Accompanied by his wife, children and grandchildren—who filled a table at the event—Jim reflected that being together with his family is what has kept him on course and put joy in his life.

Jacqueline Smith is a former seafarer. Before going to work at the ITF, she led the 11,000-member Norwegian Seafarers' Union.

Today her work involves ensuring that international seafarers are covered by collective agreements that are upheld and enforced. She has been an outstanding advocate for seafarers of all nationalities during the Covid-19 pandemic and has also worked tirelessly to support national cabotage laws such as the Jones Act.

MM&P is one of the nearly 700 transport unions in 150 countries that belong to the ITF.

> *For the past 50 years, Patti has played a leadership role in all major legislative efforts affecting the operation of U.S.-flag vessels and the employment of American mariners.*

Also recognized at the event were Bethann Rooney, deputy port director of the Port Authority of New York and New Jersey and Anthony Naccarato, president and chair of the American Maritime Officers Service. Rooney, who manages all day-to-day operations of the nation's third-largest port, has been instrumental in developing programs that allow crew no cost, easy access to shore leave.

The annual event, Setting the Course, supports port missions in Baltimore, New Haven, New Jersey/New York and Philadelphia.

MM&P captains Steve Werse, Tim Ferrie and Morgan McManus were on hand to congratulate the awardees.

CAMM Award to Captain William Boyce for 2018 Rescue

Boyce received the 2022 LaLonde Award in Chicago from Frank Zabrocky, the recipient of the award in 2021.

The Council of American Master Mariners has honored Captain William Boyce with the Father Maurice LaLonde Spirit of the Seas Award for rescuing members of the crew of the *Sincerity Ace*, a car carrier that caught fire in the middle of the Pacific Ocean on Dec. 31, 2018. The Spirit of the Seas Award is CAMM's highest honor.

MV Green Lake was the first ship to arrive on the scene. By then, the mariners who had been forced to abandon the burning car carrier were spread out over miles of ocean and floating in heavy winds and 17- to 20-foot seas, conditions that magnified the daunting challenges the rescuers faced.

The distance between the deck of the *Green Lake* and the waterline added to the difficulty of the rescue: crew on deck had to throw life rings to the floating survivors and pull them to the ship.

Exhausted survivors needed help climbing rope ladders or had to be lifted in nets to the accessible decks.

Green Lake's crew worked for more than 18 hours, recovering survivors and giving them medical and emotional support. Together with the U.S. Navy, the Coast Guard and other commercial ships, *MV Green Lake* ultimately saved the lives of 16 out of 21 *Sincerity Ace* crewmembers.

> ***Boyce has sought to focus attention on the psychological cost of going to sea and the need to provide crewmembers involved in traumatic events with mental health support.***

In 2019, MARAD honored all the members of the crew of the *MV Green Lake* with the U.S. Merchant Marine Medal for Outstanding Achievement.

In the aftermath of the rescue, Boyce has sought to focus the industry's attention on the psychological cost of going to sea and the need to provide crewmembers involved in traumatic events with counseling and other mental health supports.

Atlantic Maritime Group Officials Visit MITAGS

Atlantic Maritime Group Vice President Mike Riordan and Representatives Keith Poissant and Paulina Czernek spent time in the tug simulator recently with MITAGS Executive Director Eric Friend. "The pandemic didn't stop the MITAGS crew," Czernek said. "It was great to see all the upgrades to the simulator. It will really help mariners with their navigation skills."

Admiral Linda Fagan Confirmed As Coast Guard Commandant

Adm. Linda Fagan, an expert on marine safety, port and flag state issues, has become the first woman to lead the U.S. Coast Guard, as well as the first to head a branch of one of America's armed services.

Fagan became the first female four-star admiral in Coast Guard history when she was sworn in as vice commandant in July 2021. Her career has included work on flag state issues with the International Maritime Organization and the International Labor Organization, including development of the International Ship and Port Security Code and the Maritime Labor Convention.

Fagan is the Coast Guard's first "Gold Ancient Trident": the officer with the longest service record in the marine safety field.

"Admiral Fagan's leadership, experience, and integrity are second to none, and I know she will advance the Coast Guard's mission to ensure our nation's maritime safety and security," said President Joe Biden. "My administration is committed to seeing more qualified women in senior leadership and command roles; making sure women can succeed and thrive throughout their military careers."

"Admiral Fagan's confirmation as commandant of the U.S. Coast Guard signals to women and girls across our nation they have a place in protecting their country at the highest level."

Adm. Fagan is the first woman to lead a branch of America's armed services.

MM&P UIG–PMR Vice President Tim Saffle Announces His Retirement

Tim Saffle retired from the union effective May 31. "It has been a pleasure to represent the hard-working members of the MM&P United Inland Group–Pacific Maritime Region," he said in a message to the membership. "We have weathered the storms and come out stronger in the end."

MM&P UIG–PMR Vice President Tim Saffle has announced his retirement.

He joined MM&P in 1979 while sailing as captain for Washington State Ferries and became the union's Puget Sound representative in 2009. He was first elected UIG–PMR vice president in 2016 and is now in his second term.

In retirement, he is looking forward to spending more time with his wife, Sue, family and friends.

"It has been a pleasure to represent the hard-working members of the MM&P United Inland Group–Pacific Maritime Region," he said in a message to the membership. "We have weathered the storms and come out stronger in the end."

He took the opportunity to thank the UIG–PMR team—representatives Shannon Adamson, Antonio Amalfitano, Ezra (Sly) Hunter, Al Lewis, Mike Murray, Nick Sorber and Dan Twohig—as well as Counsel Rhonda Fenrich.

Above all, he thanked PMR members for their professionalism on the job and for their steadfast support of MM&P.

"Our members are second to none in the maritime industry," MM&P President Don Marcus said. "I echo Tim's feelings of gratitude."

"Tim himself is a perfect example of the quality and professionalism of our membership. His knowledge, intelligence, and leadership, both aboard Washington State ferries and ashore, have been a blessing. He will be missed."

In accordance with the procedure set forth in the MM&P International Constitution, the General Executive Board has appointed Representative Dan Twohig to carry out the duties of UIG–PMR vice president until the next election in 2024.

MM&P Members at 2022 CAMM Annual General Meeting

Among the MM&P members who attended the 2022 CAMM Annual General Meeting in Chicago were *(left to right)* United Inland Group Great Lakes & Gulf Region Vice President Tom Bell, retired Captain Joe O'Conner, Captain Robert Lund of the City of Chicago fireboat *Christopher Wheatley* and retired Captain Manny Arosemena. CAMM is an organization of active and retired captains, pilots, maritime industry professionals and advocates working to support and promote the American Merchant Marine. It is a source of information, professional development and networking for both active mariners and retirees.

Matson Launches New Container Barge *Haleakala*

Matson christened and launched a new flat-deck container barge in a ceremony this spring in Portland, Ore. The new barge was christened *Haleakala*, in honor of the massive shield volcano that forms more than 75 percent of the island of Maui.

MM&P Vice President Pacific Ports J. Lars Turner represented the union at the ceremony, which took place on the 140th anniversary of Captain William Matson's first voyage between San Francisco and Hilo, Hawaii.

In the background as the new barge was christened and launched were two Shaver tugs—the *Vancouver* and the *Deschutes*—manned by members of the MM&P United Inland Group–Pacific Maritime Region.

Matson plans to deploy *Haleakala* in its service in Hawaii starting this summer, connecting cargo to and from the U.S. West Coast through its hub terminal in Honolulu. *Haleakala* is double the size of the older barge it is replacing, with a carrying capacity of more than 12,000 metric tons and room for 72 refrigerated containers.

"The launch of this new vessel symbolizes Matson's long-standing commitment to serving our communities in Hawaii," said Matson Senior Vice President Vic Angoco in comments delivered at the ceremony, adding that the company has invested more than $1 billion in new vessels and infrastructure at its hub terminal in Honolulu to support its Hawaii service.

MM&P Vice President Pacific Ports J. Lars Turner represented the union at the christening and launch of Matson's new container barge, *Haleakala*. In the background are two Shaver tugs, the *Vancouver* and the *Deschutes*, manned by members of the MM&P United Inland Group–Pacific Maritime Region.

NTSB Finds Incorrectly Installed Fuel Tubing Caused 2021 Fire On *MV President Eisenhower*

A National Transportation Safety Board investigation has determined that an incorrectly installed section of main engine fuel oil return tubing led to the April 28, 2021, engine room fire aboard the *MV President Eisenhower* as it was transiting the Santa Barbara Channel on the way to Oakland.

The NTSB determined the probable cause of the fire was a crewmember's insufficient swaging of a compression fitting ferrule during the installation of fuel oil return tubing for a main engine cylinder. This caused the end of the tubing to disconnect and spray fuel oil onto a nearby unshielded and uninsulated cylinder exhaust component. No pollution or injuries were reported, but damage to the vessel totaled an estimated $8.22 million.

"The crew of the *President Eisenhower* effectively contained the spread of a main engine room fire by removing fuel and oxygen sources, cooling boundaries, and communicating effectively," the NTSB said.

"This shows the importance of realistic scenario-based training, including engine room emergencies, which involve shutting down machinery, fuel oil, lube oil, and ventilation systems, as well as boundary monitoring, to quickly contain and suppress engine room fires, which can spread to other spaces and/or cause a loss of propulsion and electrical power."

"The crew performed in a fantastic, professional manner," said Captain Jonathan KomLosy. "Despite multiple obstacles, we were able to recognize the changing aspects of the fire, get the ship stopped and prepped for a safe release of CO2."

"Tremendous credit goes to Captain KomLosy and his crew," said MM&P President Don Marcus. "His cool and professional handling of the crisis aboard the *MV President Eisenhower* is a credit to his leadership."

The NTSB's Marine Investigation Report, number 22/15, is posted on the agency's website.

Captain Jonathan KomLosy. "It was an honor to work with the ship's crew, salvage tugs and USCG to effect a positive outcome to a serious marine casualty," he said.

In addition to lauding the training of the crew, the NTSB report stated:

- The crew's response to the fire was timely and effective, and their activation of the ship's fixed CO2 system to extinguish the fire was such that a specialized marine firefighter concluded it "was just textbook perfect."
- Within 10 minutes, the crewmembers were fully mustered, and the fire teams had run out fire hoses and started boundary cooling.
- The crew had the foresight to quickly close the upper deck engine room hatch, and they coordinated and activated fuel oil shutoffs and ventilation shutdowns to subdue the fire by limiting oxygen and fuel to the space.
- The captain clearly communicated with the Coast Guard and vessel management ashore so a coordinated emergency response could be quickly arranged.
- The fire teams made two controlled entries into the engine room and identified the fire as being too large to be fought using fire hoses.
- They released the fixed CO2 system in a controlled manner, continuously monitoring the space, ensuring that all ventilation sources to the engine room remained secured, conducting boundary cooling, and allowing the CO2 to function as designed.

MM&P Officers on Duty Aboard *Maersk Kansas*

Greetings from the watchstanding licensed deck officers on board *Maersk Kansas*. MLL recently flagged in *Maersk Kansas* to replace *Maersk Idaho*. *(Left to right)* Second Mate Shea Donnelly, Chief Mate Mike Clifford and Third Mate Mike Green. *(Captain Jason Edwards not pictured)*.

Congratulations Abraham K-Aloha!

UIG Great Lakes & Gulf Region Vice President Tom Bell attended the Great Lakes Maritime Academy graduation in May. There, he presented Abraham K-Aloha with the 2022 MM&P Outstanding Shipmate Award. K-Aloha plans to ship out of the MM&P Honolulu Hall. We congratulate him on his graduation, and on being selected for the Good Shipmate Award!

Maritime Day Commemoration

Acting Maritime Administrator Lucinda Lessley and U.S. Secretary of Transportation Pete Buttigieg were among the speakers at the Department of Transportation's National Maritime Day commemoration in Washington, D.C. President Joe Biden issued the Maritime Day Proclamation, which read in part:

"As we continue to build a better America, our Merchant Marine plays a pivotal role in securing our coastal and inland waterways so that they are open to trade. No matter the hardship, mariners provide a smooth passage for America's critical domestic goods and serve as stewards of our Nation's trading gateways with the rest of the world.

"My Administration continues its unwavering support of the United States Merchant Marine, as well as the Jones Act, which protects the integrity of our domestic maritime industry, supports hundreds of thousands of jobs, and contributes over $150 billion in economic benefits."

MM&P Norfolk Representative Mark Nemergut, MM&P President Don Marcus, CNO Pilot Larry McCabe and MM&P Secretary-Treasurer Don Josberger. McCabe was honored at the Maritime Day event in Norfolk for his service to the nation and to the industry.

Greetings From the Great Lakes!

After winter lay-up, the vessels that operate on the Lakes return to their usual schedules around the end of March. That's when members of the MM&P United Inland Group–Great Lakes & Gulf Region board their ships, readying them to transport bulk cargoes of materials that include rock, sand, salt and coal.

Greetings From Our Members Aboard *MV American Courage!*

The fit-out crew of the diesel-powered lake freighter *MV American Courage,* operated by Grand River Navigation. *(Left to right)* Chelsea Lawrence, Ahmed Buhari, James Simpson, Konstantin Morris, Reggie Washington, Anthony Robinson *(green sweatshirt, standing)*, Tim Robinson, Alex Trifanov, Sam Norris, Ryan McDonough and John Buzyniski.

Fit-Out Crew Aboard *MV Sam Laud*

The fit-out crew aboard *MV Sam Laud*, operated by Grand River Navigation. The photo was taken in Toledo, prior to the vessel getting underway. *(Left to right)* Captain Roger Ryckman, Frank Leal, Dan Jasmund, Mike Mullen, Khayman Bacon, Dan Landry *(safety orange hoodie)*, Dan Roose, Liam Kilcoyne *(green hat)* and Nick Marchioni *(red apron)*.

MV Calumet Fit-Out Crew

The fit-out crew aboard *MV Calumet*, operated by Grand River Navigation. The photo was taken in Ashtabula, Ohio, before the vessel set sail. *(Left to right)* Captain Jake Christopher, Torrence Bonsell, Tom Banar, Mike Nerychel, George Finley *(standing with red hoodie)*, Chris Kloss, Kaleb Deming, Shannon Christman-Kreps, Brian Harvey *(seated with red hoodie)*, Craig Bisson, Drew Bosau and Steve Hammond.

A Visit to the Crew of *RV Lake Guardian*

RV Lake Guardian was berthed in Milwaukee when Great Lakes & Gulf Vice President Tom Bell snapped this photo. *(Left to right)* Captain David Freese, Marine Tech Olivia Vosburg, Steward Jim Roberts, Chief Mate John Melcher, AB Kevin Struzik, Electrician Donald Douglas, Head Marine Tech Josh Allen and Marine Tech Nick Camaioni.

INTERVIEW

Meet Captain Roshenda Josephs
MM&P Federal Employees Membership Group

Where were you born and where did you grow up?

The forever growing city of Washington, DC.

What led to your interest in maritime?

Surprisingly enough, I knew absolutely nothing about the maritime industry until I did a college visit at the United States Merchant Marine Academy. I went from aspiring to be a judge to aspiring to be a sailor. That was definitely a life-changing decision and a lifestyle change.

One thing that did remain the same was my desire to stay in a very disciplined and structured lifestyle and that is something I was able to keep while entering the maritime industry. I immediately was attracted to the atmosphere, discipline and structure the maritime industry upheld. I have learned to love what I do and I have continued to put forth a daily commitment to the maritime industry.

Describe your career.

I am currently sailing as Master with Military Sealift Command. Recently, I have been sailing on MSC's special mission, high speed vessels. Our primary mission entails transportation of cargo and personnel from point A to point B. This also includes multi-purpose special missions. It has been a great experience working on this platform of ships, because we are able to meet so many different people from different countries and visit the most unique ports. I have been very, very grateful for this opportunity.

What do you like to do in your free time?

I love spending time with my family and enjoying life together. Being able to spend time with my family, I can honestly say "The best things in life are free." I am not that much of a thrill-seeker, so usually I am winding down my days drawing or playing the piano.

Josephs received a plaque, signed by President Joe Biden and Vice President Kamala Harris, recognizing her achievement in becoming the first Black female Master of an MSC vessel.

Live fire training in the Arabian Sea. "It has been a great experience working on this platform of ships, because we are able to meet so many different people from different countries and visit the most unique ports," she says.

Administrator's Column

PATRICK MCCULLOUGH

Schedule of Meetings

The second Trustee meeting for 2022 took place June 1 and 2, 2022, via a video conference in the Masters, Mates & Pilots conference room in Linthicum Heights, Md.

Health and Benefit Plan

The Trustees agreed to expand the Health and Benefit Plan's Wellness Benefits

At the June 1 and 2 Board of Trustees meeting, the Trustees agreed to expand the Wellness Benefits which will be paid by the Plan at 100 percent of the Reasonable Charges, as defined by the Plan documents. The Wellness Benefits listed below are not subject to a deductible or co-pay and are not included in the Plan's annual physical exam maximum benefit of $1,250 per family.

The Plan's computer system will be changed to pay for these new expanded Wellness Benefits effective June 1, 2022, for any claims submitted with the following codes. The Trustees agreed to have the screening starting at age 45 instead of age 50.

Colorectal cancer screening for males or females ages 45 to 75 once every five years. The Plan will pay these claims under the Wellness Benefit.

Important Reminders

Please contact an MM&P Health & Benefit Plan advisor if:

- your **address** has changed;
- you have been legally separated or divorced; or
- your spouse is working and is now covered by that employer's health benefit program.

And please remember:

- report any accidents aboard ship to the Plan Office;
- once you retire and are eligible for Medicare you must take Medicare Part A and Part B;
- you must submit a copy of your Medicare card to the Plan Office;
- dependent children over the age of 19 must have their Adult Dependent Form on file with the Plan Office to be covered under the Health & Benefit Plan.

Pension Plan–Adjustable Pension Plan

Annual Verification of Pensioner Benefits

To safeguard pension benefits for all participants and their qualified spouses, as they have over the past few years, the Trustees require all pensioners to verify, on an annual basis, that they have received their pension benefits for the previous year.

Please be advised that the Plan needs to receive this form, properly completed, by the time you are scheduled to receive your **JULY** pension benefit payment. We will have to withhold that benefit payment, and all future payments, until the properly completed form is received.

If you have any questions, please contact the Plan Office benefit advisor at 410-850-8625 or 410-850-8636.

As this article is being written, presently there are 90 individuals who have not returned their form.

Service	CPT Code	ICD-9 Code
Colorectal Cancer – Ages 45-75 (Every 5 Years)	G0104, G0105, G0106, G0120, G0328, 44388, 44389, 44392, 44393, 44394 45330, 45331, 45333, 45338 45339, 45378, 45380, 45383, 45384, 45385, 82270, 82274, 88304, 88305, 00810	V16.0, V18.51 V18.59, V76.51, V76.50, V76.41

Pension Plan

Pension Plan Missing Participants

The Plan has been trying to get in touch with the following participants, and they have not responded to the Plan.

2019 Annual Pension Confirmation Forms Needed for Plan Year 2018

Antoine Tedmore

2020 Annual Pension Confirmation Forms Needed for Plan Year 2019

John Moralis
Dolores Hoffman

Earnings Limitation for Pensioners and Spouses Under 65 for the 2022 Calendar Year

I would like to remind pensioners and spouses under age 65 about the MM&P Health Plan Earnings Limitation for calendar year 2022. In December 2021, the Plan mailed an earnings letter to all affected participants and dependents with an affidavit that must be returned to the Plan Office. If you have not yet returned the affidavit, it is advised that you complete and return it as soon as possible.

Increase in Pensioners Earnings Limitation January 1, 2022

The Trustees last year agreed to change the Plan rules to increase the Plan's pensioner annual earnings limitation, effective Jan. 1, 2022, to $43,000. Effective Jan. 1, 2022, pensioners who are under 65 and who have retired under the M.M.&P. Pension Plan with 20 or more years of pension credit, along with their dependents under 65 who are employed, will be able to receive annual earnings of up to $43,000 without losing their health coverage under the Plan.

Plan Amendments

AMENDMENT NO. 154 TO THE
M.M.&P. HEALTH & BENEFIT PLAN
RULES AND REGULATIONS

Effective January 1, 2022, the following provisions of the Masters, Mates, and Pilots Health & Benefit Plan Rules and Regulations are amended as follows:

1. **Article I (Definitions), Section 13.F (Allowable Charge) of the Masters, Mates, and Pilots Health and Benefit Plan shall be amended to read as follows**:

   F. For all other Medicare claims, the amount(s) not covered by Medicare provided, however, that the amount payable does not exceed the amount which would have been payable by the Plan if there were no other health coverage involved, except that claims for No Surprises Services will be payable in accordance with the No Surprises Act and subject to the Plan's applicable Cost Sharing.

2. **Article I (Definitions), shall be amended by adding the following new Sections 29 - 42:**

Section 29. Ancillary Services.

Effective January 1, 2022, the term Ancillary Services shall mean, with respect to a Contracted Hospital or Contracted Provider:

A. Items and services related to emergency medicine, anesthesiology, pathology, radiology, and neonatology, whether provided by a Physician or non-physician practitioner,

B. Items and services provided by assistant surgeons, hospitalists, and intensivists;

C. Diagnostic services, including radiology and laboratory services and subject to exceptions specified by federal regulation; and

D. Items and services provided by a Non-contracted provider if there is no Contracted Provider who can furnish such item or service at such Contracted Health Care Facility.

Section 30. Cost Sharing or Cost Share.

Effective January 1, 2022, the term Cost Sharing shall mean the amount a Covered Individual is responsible for paying for a covered item or service under the terms of the Plan. Cost Sharing generally includes copayments, coinsurance, and amounts paid towards deductibles, but does not include amounts paid towards premiums, balance billing by Non-contracted providers, or the cost of items or services that are not covered under the Plan. Effective January 1, 2022, a Covered Individual's Cost Share applicable to No Surprises Services is based on the lesser of the Qualifying Payment Amount payable for such Services or the amount billed by the Non-contracted provider. Co-Insurance amounts paid for No Surprises Services will count towards a Covered Individual's Deductible Amount, as detailed in Article IV, Section 3, and any applicable Contracted out-of-pocket Allowable Expenses but not Non-contracted out-of-pocket Allowable Expenses, as may apply under Article IV.

Section 31. Emergency Medical Condition.

Effective January 1, 2022, the term Emergency Medical Condition shall mean a medical condition, including mental health condition or substance use disorder, manifested by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate medical attention to result in serious impairment to bodily functions, serious dysfunction of any bodily organ or part, or placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy.

Section 32. Emergency Services.

Effective January 1, 2022, the term Emergency Services shall mean, with respect to an Emergency Medical Condition:

A. An appropriate medical screening examination that is within the capability of the emergency department of a Hospital or of an Independent Freestanding Emergency Department, as applicable, including Ancillary Services routinely available to the emergency department to evaluate such Emergency Medical Condition; and

B. Within the capabilities of the staff and facilities available at the Hospital or the Independent Freestanding Emergency Department, as applicable, such further medical examination and treatment as are required to stabilize the Covered Individual (regardless of the department of the Hospital in which such further examination or treatment is furnished).

C. Services provided by a Non-contracted provider or facility after the Covered Individual is stabilized and as part of outpatient observation or an inpatient or outpatient stay related to the emergency visit, until:

1. The provider or facility determines the Covered Individual is able to travel using nonmedical transportation or nonemergency medical transportation;

2. The Covered Individual is supplied with a written Notice, as required by federal law, that the provider is a Non-contracted Provider with respect to the Plan, of the estimated charges for treatment and any advance limitations that the Plan may put on such treatment, of the names of any Contracted Providers at the facility who are able to treat the Covered Individual, and that the patient may elect to be referred to one of the Contracted Providers listed; and

3. The Covered Individual gives informed Consent to continued treatment by the Non-contracted Provider, acknowledging that she or he understands that continued treatment by the Non-contracted Provider may result in greater cost to the Covered Individual.

Section 33. Health Care Facility (for non-emergency services).

Effective January 1, 2022, the term Health Care Facility (with respect to non-Emergency Services) shall mean:

A. A hospital (as defined in section 1861(e) of the Social Security Act);

B. A hospital outpatient department;

C. A critical access hospital (as defined in section 1861(mm)(1) of the Social Security Act); and

D. An ambulatory surgical center described in section 1833(i)(1)(A) of the Social Security Act

Section 34. Independent Freestanding Emergency Department.

Effective January 1, 2022, the term Independent Freestanding Emergency Department shall mean a health-care facility that is geographically separate and distinct from a Hospital under applicable State law and is licensed under state law to provide Emergency Services.

Section 35. No Surprises Act.

The term No Surprises Act means Title I of Division BB of the Consolidated Appropriations Act, 2021, P.L. 116-260

Section 36. Non-contracted.

Effective January 1, 2022, the term Non-contracted means a provider, facility, or rate that is not designated as in-network by the Plan's preferred provider organization(s).

Section 37. Contracted.

The term Contracted means a provider, facility, or rate that is designated as in-network by the Plan's preferred provider organization(s).

Section 38. Qualifying Payment Amount.

Effective January 1, 2022, the term Qualifying Payment Amount means generally the median contracted rate for the Plan for the item or service in the geographic reason, or such other rate as determined by the Plan in accordance with Federal law. This amount is subject to change.

Section 39. Continuing Care Patient.

Effective January 1, 2022, the term Continuing Care Patient means a Covered Individual who is: (1) undergoing a course of treatment for a Serious and Complex condition, (2) scheduled to undergo non-elective surgery (including any post-operative care); (3) pregnant and undergoing a course of treatment for the pregnancy; (4) determined to be terminally ill and receiving treatment for the illness; or (5) undergoing a course of institutional or inpatient care from the provider or facility.

Section 40. Serious and Complex Condition.

Effective January 1, 2022, the term Serious and Complex Condition shall mean one of the following:

A. In the case of an acute illness, a condition that is serious enough to require specialized medical treatment to avoid the reasonable possibility of death or permanent harm; or

B. In the case of a chronic illness or condition, a condition that is the following:

   1. Life-threatening, degenerative, potentially disabling, or congenital; and

   2. Requires specialized medical care over a prolonged period of time.

Section 41. No Surprises Services.

Effective January 1, 2022, No Surprises Services means the following, to the extent covered under the Plan: (1) Non-contracted Emergency Services, (2) Non-contracted air ambulance services; (3) non-emergency Ancillary Services for anesthesiology, pathology, radiology, neonatology and diagnostics, when performed by a Non-contracted provider at a Contracted Health Care Facility; and (4) other Non-contracted non-emergency services performed by a Non-contracted provider at a Contracted Health Care Facility with respect to which such provider does not comply with federal Notice and Consent requirements, as defined in Article I, Section 42.

Section 42. Notice and Consent or Consent.

Effective January 1, 2022, Notice and Consent with respect to Non-contracted services provided at a Contracted Health Care Facility, means: (1) that at least 72 hours before the day of the appointment (or 3 hours in advance of services rendered in the case of a same-day appointment), a Covered Individual is provided with a written notice, as required by federal law, that the provider is a Non-contracted provider with respect to the Plan, the estimated charges for the Covered Individual's treatment and any advance limitations that the Plan may put on the Covered Individual's treatment, the names of any Contracted providers at the facility who are able to treat the Covered Individual and that the Covered Individual may elect to be referred to one of the Contracted providers listed; and (2) the Covered Individual gives informed Consent to continued treatment by the Non-contracted provider, acknowledging that he or she understands that continued treatment by the Non-contracted provider may result in greater cost to the Covered Individual. The Notice and Consent exception does not apply to Ancillary Services and items or services furnished as a result of unforeseen, urgent medical needs that arise at the time an item or service is furnished, regardless of whether the Non-contracted provider satisfied the Notice and Consent criteria.

3. Article II (General Provisions), Section 3 (Payment of Claims), is amended by adding the following new paragraph at the end of the Section:

Notwithstanding the foregoing, effective January 1, 2022, a Non-contracted provider of No Surprises Services will receive an initial payment or notice of denial of payment for a No Surprises Services claim within 30 calendar days of the Plan's receipt of the billed charges and all information necessary to adjudicate the claim.

4. Article IV (Benefit Provisions), Part A, Section 2 (Covered Charges), is amended by adding the following new paragraphs O and P:

O. Effective January 1, 2022, charges for No Surprises Services are covered as required by the No Surprises Act, and subject to applicable Cost Sharing. In addition, if a Covered Individual receives No Surprises Services from a Non-contracted provider that the Covered Individual thought was a Contracted provider, based on inaccurate information in a current provider directory, then the No Surprises Services provided by that Non-

contracted provider will be covered as if the provider was Contracted.

P. Effective January 1, 2022, Emergency Services are covered without the need for prior authorization.

5. Article IV (Benefit Provisions), Part A, Section 4 (Benefits) is amended by adding the following sentence to the end of paragraph 3:

Effective January 1, 2022, the $150 annual physician expense deductible referenced herein shall not apply to an Allowable Expense of an emergency room Physician whether incurred in a Contracted Hospital or a Non-contracted Hospital.

6. Article IV (Benefit Provisions), Part A, Section 5 (Limitations) is amended by adding the following sentence at the beginning:

Notwithstanding anything herein to the contrary, effective January 1, 2022, a Covered Individual's claim for a No Surprises Service will be calculated subject to the Plan's applicable Cost Sharing.

7. Article IV (Benefit Provisions), Part A, Section 5 (Limitations), subsection K (Air Ambulance) is amended by adding the following sentence at the end:

Effective January 1, 2022, medically necessary use of Non-contracted air ambulance services are a No Surprises Service subject to the Plan's applicable Cost Sharing.

8. Article IV (Benefit Provisions), Part A, Section 5 (Limitations), is amended by adding the following new subsection M:

M. If a Covered Individual is a Continuing Care Patient, and the contract with the Covered Individual's treating Contracted provider or Contracted Health Care Facility terminates, the Plan will do the following:

(1) Notify the Covered Individual in a timely manner of the termination of his or her provider's or facility's contract and inform the Covered Individual of their right to elect continued transitional care from that provider or facility; and

(2) If the Covered Individual elects, allow ninety (90) days of continued coverage at the Plan's Contracted rate as if that provider or facility continued to be Contracted, to allow for a transition of care to a Contracted provider.

9. Article IV (Benefit Provisions), Part A, Section 6 (Exclusions), the first sentence shall be amended to read as follows:

Except to the extent otherwise required by applicable law, no Comprehensive Major Medical benefits shall be payable with respect to expenses (any and all of which shall not be considered as Allowable Expenses) incurred: …

10. Article IV (Benefit Provisions), Part A, Section 8 (Concurrent Review for Emergency and Non-emergency Hospital Confinements), the second paragraph shall be amended to read as follows:

If the Covered Individual does not follow this procedure, any benefits otherwise payable under this Part shall be subject to the non-compliance penalty provisions of Section 11 of this Part, except in the case of No Surprises Services.

11. Article IV (Benefit Provisions), Part A, Section 12 (Out-Patient Surgical Benefit), shall be amended by adding the following new paragraph at the end of that section:

Notwithstanding the foregoing, any non-Emergency Services by a Non-contracted provider at a Contracted Health Care Facility with respect to which such provider does not comply with federal Notice and Consent requirements, is a No Surprises Service subject to applicable Cost Sharing.

12. Article V (Coordination of Benefits), Section 4 (Medicare Eligible Covered Individuals) shall be amended by adding the following new sentence to the end of paragraph D:

If a Covered Individual who is eligible but failed to make necessary application for Medicare Part "B" Coverage incurs Covered Expenses that are subject to the No Surprises Act, such Covered Expenses will be payable in the same manner as a No Surprises Service and subject to applicable Cost Sharing.

13. Article VII (Miscellaneous), Section 4 (Appeals Procedures) shall be amended by adding the following new paragraph to the end of subsection C.4:

Notwithstanding the foregoing, effective January 1, 2022, a Non-contracted Provider of No Surprises Services will receive an initial payment or notice of denial of payment for No Surprises Services claim within 30 calendar days of the Plan's receipt of the billed charges and all information necessary to adjudicate the claim.

14. Article VII (Miscellaneous), Section 4 (Appeals Procedures) shall be amended by adding the following new paragraph I:

I. Effective January 1, 2022, if a Claimant receives an adverse benefit determination that relates to a No Surprises Service, the Claimant may be entitled to appeal the decision to an external independent review

organization ("IRO") within four months of the receipt of the adverse determination on appeal. External review is limited to claims involving whether the Plan is complying with the surprise billing and cost sharing protections under the No Surprises Act. No other denials will be reviewed by an IRO unless otherwise required by law. Requests for external review must be filed with the Plan Office.

All such external review requests shall, within five business days following the receipt of the external review request, receive a preliminary review to determine whether: the Claimant is or was covered under the Plan at the time the health care item or service was provided; the request for external review concerns payment for No Surprises Services; the Claimant has exhausted the Plan's internal appeal process unless the Claimant is not required to exhaust the internal appeal process; and the Claimant has provided all the information and forms required to process an external review. Within one business day after completion of the preliminary review, the Administrator will issue a written notification of its determination to the Claimant, including, if applicable, the reason for the request's ineligibility for external review or a description of any information or materials necessary to perfect the request for external review. If additional information or materials are necessary, the Claimant shall have until the later of the four-month filing period or 48 hours following receipt of the written notification to provide the additional information or materials.

Upon completion of a preliminary review that determines that the matter is eligible for external review under these procedures, the Administrator shall refer the matter to an IRO. The determination of the IRO shall be binding except to the extent that other remedies may be available under federal law. Upon receipt of a notice of a final external review decision reversing the adverse benefit determination on appeal, the Plan shall immediately provide payment for the No Surprises Service claim.

AMENDMENT NO. 155 TO THE M.M.&P. HEALTH AND BENEFIT PLAN RULES AND REGULATIONS

1) Article III (Eligibility), Section 2.A.5. (Pensioners – Initial Eligiblity – Co-Pay Requirement (Pensioners)) and 2.A.6. (Pensioners – Initial Eligibility – Pensioners Receiving a Lump-Sum Payout) are amended by changing the references to "2022" to "2024".

2) Article III (Eligibility), Section 8 (Continuation of Coverage for Pensioners) is amended by substituting the references to "June 30, 2022" with "June 30, 2023" therein.

AMENDMENT NO. 156 TO THE M.M.& P. HEALTH AND BENEFIT PLAN RULES AND REGULATIONS

Effective January 1, 2022, the following provision of the Rules and Regulations is amended as follows:

Article IV (Benefit Provisions), Part B (Prescription Drug Benefit), Section 5 (Exclusions), Paragraph G is replaced entirely with the following:

G. compounded prescriptions that are not comprised entirely of FDA approved drugs that require a prescription as defined by Federal or State law are not covered by the Plan. Any compounded prescriptions that are covered by the Plan and cost more than $300 require prior authorization or they will not be covered;

MITAGS Instructor Michelle Barutha (right) and Barbara Murray, executive director of the American Association of Port Authorities Apprenticeship Program.

MITAGS Instructor Describes Benefits of Apprenticeships at Port Authorities Summit

Michele Barutha, an instructor at MITAGS West, addressed a meeting of the American Association of Port Authorities in March. Among the other speakers was U.S. Secretary of Labor Marty Walsh, a strong advocate for labor unions and their apprenticeship programs. Participants in the summit also included U.S. Secretary of Transportation Pete Buttigieg and Mario Cordero, executive director of the Port of Long Beach.

Barutha got her license through the MATES workboat apprenticeship program. She sailed for Military Sealift Command before coming ashore to teach at MITAGS West.

"Michele told her own story and described the impact she makes in other's lives daily as they work in the MITAGS registered apprenticeship program," said Barbara Murray, executive director of ACCELerate Apprenticeship, a Department of Labor grant-funded initiative of AAPA.

Murray described the legislative summit as "a real win for the MITAGS apprenticeships and MM&P."

MITAGS Dedicates a Tree to Glen Paine on His Retirement

Staff at MITAGS and the Maritime Conference Center dedicated a tree to Glen Paine, who retired in January after 23 years as executive director. Diane Ford, his executive assistant, has also retired. "She allowed me to successfully deal with the myriad of issues that comes with the executive director position," Paine said. "I literally could not have done my job without her, and I am deeply grateful that she decided to stay on until I retired."

John Krikorian Promoted to MCC General Manager

John Krikorian has been promoted to general manager of the Maritime Conference Center, which entails oversight of MCC's activities and operations. MITAGS–MCC Executive Director Eric Friend has collaborated closely with John in his previous role as director of operations. Together, they will review current processes and develop strategic paths to the future. John has worked at MCC in a number of different roles since July 2007. Congratulations, John!

PENSIONERS

Paul "Duncan" Calvin, shipping out of West Coast ports. He last sailed for Matson as master of the *Mahi Mahi.*

Diane Ford, a member of the Offshore Membership Group, worked in the Executive Office of MITAGS.

Jorge Gutman, shipping out of West Coast ports. He last sailed for Matson as master of the *Tacoma.*

John Healey, shipping out of West Coast ports. He last sailed for Matson as chief mate aboard the *Manoa.*

Jose G. Luna worked for Flik at MITAGS.

John W. Muir, shipping out of East Coast ports. He last sailed as master of the *Maersk Detroit.*

Peter Santoro, shipping out of West Coast ports. He last sailed for Matson as second mate aboard the *RJ Pfeiffer.*

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CROSS'D THE FINAL BAR

Nick J. Ballas, 83, Jan. 11. A resident of Volos, Greece, and a pensioner since 1998, he last sailed for Central Gulf Lines aboard the *Green Harbor.*

Patrick Barnett, 77, Jan. 8. A resident of Powersite, Mo., and a pensioner since 1995, he last sailed for Matson Navigation aboard the *SS Kainalu*.

Edward K. Brown, 84, Feb. 7. A resident of Little Silver, N.J., and a pensioner since 1995, he last sailed for Sealand Services aboard the *Sealand Innovator.* He was a member of the Council of American Master Mariners, the Association of Merchant Marine Veterans, and the Free and Accepted Masons. He loved theater, was a huge Yankees fan, and enjoyed traveling with his wife of more than 60 years and their family. "I can picture him in Heaven, enjoying pizza, hanging with his brothers, watching a baseball game, full of laughter and surrounded by his many dogs, saying it was a good life." Survivors include his wife, children, grandchildren, and many dogs.

Arthur D. Casey, 96, Jan. 13. A resident of Carlisle, Pa., and a pensioner since 1986, he last sailed for United States Lines aboard the *American Lark*. He enjoyed reading, watching football, and traveling. Survivors include his wife Evelyn and children Cathy Johnson, David Casey, and Ruth Ann Wigfield.

John V. Connor, 90, Nov. 28, 2021. A resident of Waltham, Mass., and a pensioner since 1997, he last sailed for Sealand Services aboard the *Sealand Tacoma.*

Donald "Bill" W. Coulter, 95, Nov. 28, 2021. A resident of Blaine, Wash., and a pensioner since 1997, he last sailed for Sealand Services aboard the *Sealand Tacoma.* He is remembered as "the husband of almost 67 years, dad, shipmate and 'storyteller extraordinaire' who left an impression on all he met. He was an amazing man and to call him unique was an understatement." Survivors include his children Karen Schmidt, George Coulter, and Beth Eyring along with their spouses; four grandchildren and six great-grandchildren.

Robert H. Duncan, 83, Dec. 13, 2021. A resident of Lebanon, Pa., and a pensioner since 1986, he last sailed for OMI Corporation aboard the *SS OMI Charger*. He served in the U.S. Navy. Survivors include Geri, his wife of 44 years, daughter, son, two granddaughters, four grandsons and his brother and sister.

Gayden R. Galloway, 94, Jan. 7. A resident of Brevard, N.C., and a pensioner since 1987, he last sailed for United States Lines aboard the *MV American Hawaii*. He served in the U.S. Army as a military policeman. He is survived by Jean, his wife of 58 years; daughters Anita, Rita and Jennifer; grandchildren Stella, Holly, Austin and Caleb, and his brother Hershel.

Torleif M. Hansen, 96, Dec. 7, 2021. A resident of Kingwood, Texas, and a pensioner since 1989, he last sailed for Lykes Brothers Steamship Company aboard the *SS John Lykes.* He is remembered for his love of gardening. He is survived by Sheila Hansen.

David C. Hutchings, 77, Feb. 8. A resident of Belfast, Maine, and a pensioner since 1990, he last sailed for Sealand Services aboard the *Sealand Freedom.*

William H. Kazala, 87, Nov. 28, 2021. A resident of Stanwood, Wash., and a pensioner since 1995, he last sailed as master for Foss. He enjoyed horseback riding and woodworking. Survivors include his wife Donna, daughters Linda and Lori, Lori's husband Al, and grandsons Phil and Scott.

Sam C. Kielley, 78, Jan. 18. A resident of the Philippines, and a pensioner since 1998, he last sailed for Sealand Services aboard the *Sealand Tacoma.* He enjoyed playing golf and watching movies.

Lowell Lane, 82, Oct. 28, 2021. A resident of Jacksonville, Fla., and a pensioner since 2001, he last worked for Moran Towing.

William C. Lyons, 91, Jan. 7. A resident of Hallowell, Maine, and a pensioner since 1985, he last sailed for Amoco Shipping aboard the *Amoco Delaware.* He served in the U.S. Air Force as a radio operator in Greenland during the Korean War. He participated in the retrieval of the NASA

Mercury capsule. He is remembered as being "rarely idle, instilling the value of hard work and for his commitment to AA and sponsoring others on their journey to sobriety." His favorite place was the home he built in the woods on Three Corner Pond. He is survived by his wife Margene, five children and six grandchildren.

Michael G. Maltezos, 85, Feb. 1. A resident of Glyfada, Greece, and a pensioner since 1985, he last sailed for Marine Transport Lines aboard the *USNS Arctic.*

Salvatore Peraro, 98, March 25. A resident of Catonsville, Md., he worked in the Health and Benefit Plan Office. He loved life and social events, particularly dancing. He is survived by his son Anthony, daughter-in-law Takako, grandchildren Anthony and Michael, his sisters Evelyn, Mary and Elizabeth, stepchildren Robert Shore, Golden Shore, Joyce Klotz, Louise Coard and their families and grandchildren; granddaughter Patricia McKenzie and family; Eleanor Forrest and her children Martin, Betty Anne, Michael, David, and Mary Anne; nephew Rodger and family.

Ioannis "John" Petroutsas, 87, Dec. 27, 2021. A resident of Monemvasia, Greece, and a pensioner since 1987, he last sailed for Prudential Lines as master of the *Lash Atlantico.*

Edward J. Pierson, 91, Feb. 18. A resident of Raleigh, N.C., and a pensioner since 1995, he last sailed for Lykes Brothers Steamship Company as master of the *SS Genevieve Lykes.* He is remembered as a mentor and an innovator. He kept up with colleagues and friends and "relied on his faith to pull him through." He is survived by Diane Johnson, his partner of 25 years, and his daughter Kim.

Stanley P. Quinn Jr., 86, Jan. 9. A resident of Holly Hill, Fla., and a pensioner since 1998, he last sailed for NPR Inc. aboard the *SS Humacao.* He served in the U.S. Coast Guard and the Naval Reserve. He enjoyed water sports, golf, hiking, skiing, gardening, swing dancing, and jazz and blues. He owned Lakeland Sand and Gravel, was a real estate developer and flipped houses as a hobby before settling in the Daytona Beach area. He was a member of the St. Augustine Jazz Society, the Jacksonville and Daytona Beach Boppers, and the Daytona Beach Moose Lodge. Survivors include Patricia; daughters Elizabeth, Sally, and Nancy; six grandchildren and their spouses, and two great-grandchildren.

Charles A. Robinson, 90, Feb. 6. A resident of Brigantine, N.J., and a pensioner since 1994, he last sailed for Sealand Services aboard the *MV Sealand Atlantic.*

Raymond L. Sorrells, 91, Oct. 30, 2021. A resident of San Benito, Texas, and a pensioner since 1996, he last sailed for Lykes Brothers Steamship aboard the *SS Jean Lykes.* He is survived by his nephew David Sorrells and his wife Dorothy, niece Melissa Shuman, nephew James Sorrells, and many great- and great-great nieces and nephews.

Joseph B. Stackpole, 81, Dec. 8, 2021. A resident of Westminster, Co., and a pensioner since 2006, he last sailed for American President Lines aboard the *President Wilson.* He enjoyed skiing, golf and sailing. Survivors include his sons Matthew and Christopher and two grandchildren.

Paul H. Stokes, 95, Jan. 9. A resident of Carlisle, Pa., and a pensioner since 1993, he last sailed aboard the *Charger.*

Ren W. Vurpillat, 81, Feb. 3. A resident of Queen Creek, Ariz., and a pensioner since 1991, he last sailed for American President Lines as master of the *SS Cape Isabel.* He enjoyed gulf, officiating high school basketball, and spending time with his family. He is survived by his daughter July and his son Curt.

Eugene K. Whalen, 82, Dec. 2, 2021. A resident of Melbourne, Fla., and a pensioner since 2001, he last sailed for Matson Navigation aboard the *Mokihana.*

Crossing the Bar

Sunset and evening star,
And one clear call for me!

And may there be no moaning of the bar,
When I put out to sea,

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

Twilight and evening bell,
And after that the dark!

And may there be no sadness of farewell,
When I embark;

For tho' from out our bourne Time and Place
The flood may bear me far,
I hope to see my pilot face to face
When I have crossed the bar.

— Alfred Lord Tennyson (1809-1892)

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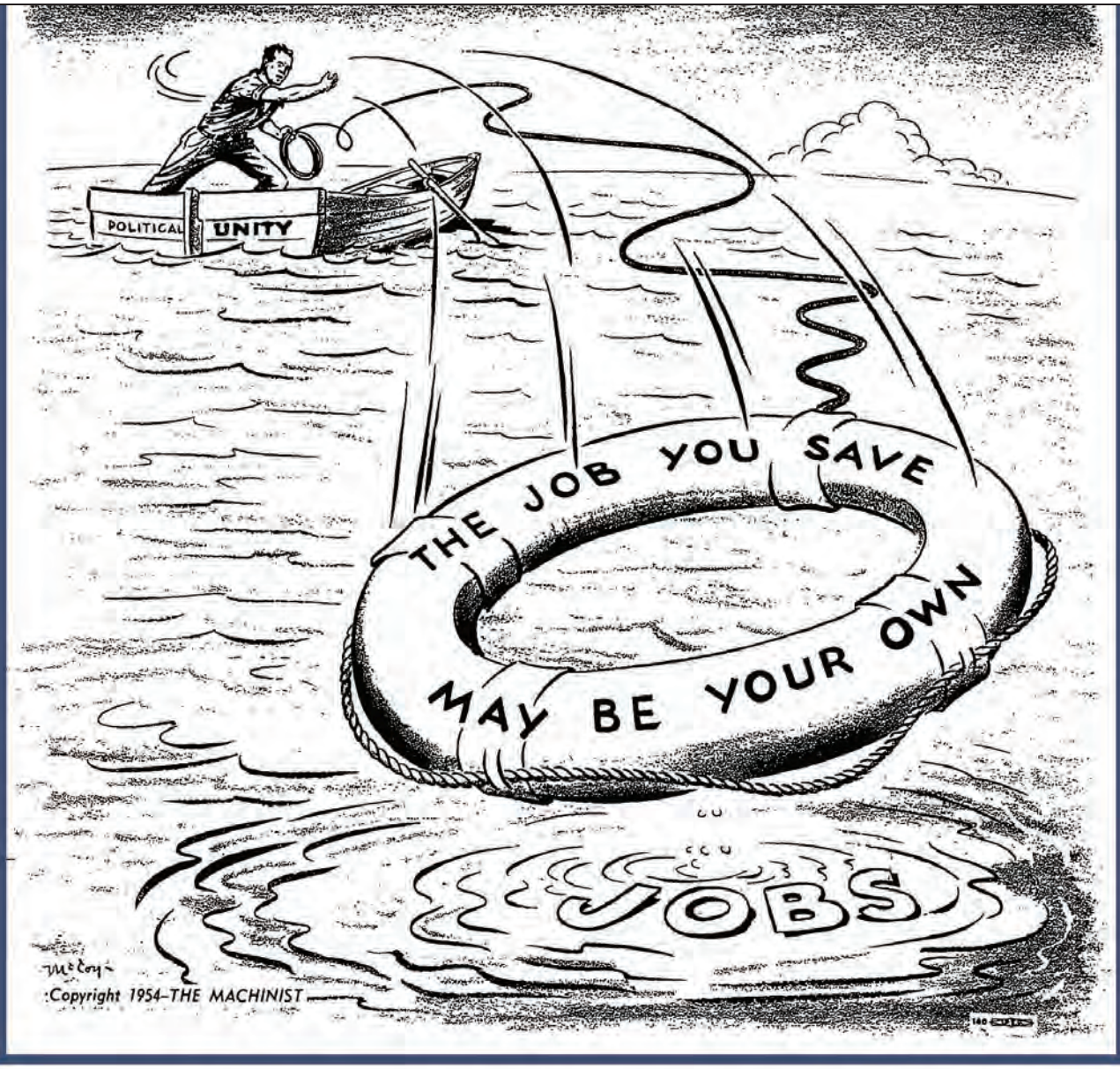

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